

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

SPHERIX INCORPORATED and NNPT,
LLC,

Plaintiffs,

v.

CISCO SYSTEMS, INC.

Defendant.

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Civil Action No. 14-393 (SLR) (SRF)

JOINT MOTION TO DISMISS

WHEREAS, Plaintiffs Spherix Incorporation and NNPT, LLC (“Plaintiffs”) and Defendant Cisco Systems, Inc. (“Cisco”) have resolved Plaintiffs’ claims for relief against Cisco.

NOW, THEREFORE, Plaintiffs and Cisco, through their attorneys of record, request this Court to dismiss Plaintiffs’ claims for relief against Cisco with prejudice and Cisco’s claims, defenses and/or counterclaims for relief against Plaintiffs without prejudice, and with all attorneys’ fees, costs of court and expenses borne by the party incurring same.

December 3, 2015

Respectfully submitted,

COZEN O’CONNOR

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Joseph J. Bellew

Joseph J. Bellew (#4816)
1201 N. Market Street, Suite 1001
Wilmington, DE 19801
Tel: (302) 295-2025
Fax: (302) 701-2431
E-mail: jbellev@cozen.com

/s/ Jack B. Blumenfeld

Jack B. Blumenfeld (#1014)
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899
Tel: (302) 658-9200
E-mail: jblumenfeld@mnat.com

*Attorneys for Plaintiffs
Spherix Incorporated and NNPT, LLC*

*Attorneys for Defendant,
Cisco Systems, Inc.*

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[PROPOSED] ORDER OF DISMISSAL WITH PREJUDICE

On this day, Plaintiffs Spherix Incorporated and NNPT, LLC, (“Plaintiffs”) and Defendant Cisco Systems, Inc. (“Cisco”) announced to the Court that they have resolved Plaintiffs’ claims for relief against Cisco asserted in this case. Plaintiffs and Cisco have therefore requested that the Court dismiss Plaintiffs’ claims for relief against Cisco with prejudice and Cisco’s claims, defenses and/or counterclaims for relief against Plaintiffs without prejudice, and with all attorneys’ fees, costs and expenses taxed against the party incurring same. The Court, having considered this request, is of the opinion that their request for dismissal should be granted.

IT IS THEREFORE ORDERED that Plaintiffs' claims for relief against Cisco are dismissed with prejudice and Cisco's claims, defenses and/or counterclaims for relief against Plaintiffs are dismissed without prejudice.

IT IS FURTHER ORDERED that all attorneys' fees, costs of court and expenses shall be borne by each party incurring the same.

SO ORDERED December ____, 2015.

United States District Court Judge